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BANNER & WITCOFF, LTD.
INTELLECTUAL PROPERTY LAW

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FACSIMILE TRANSMITTAL SHEET

TO: USPTO - PCT OPERATIONS	FROM: Robert H. Resis
COMPANY:	DATE: November 1, 2005
FAX NO.: (571) 273-3201	TOTAL NO. OF PAGES: (including cover sheet) 10
YOUR REFERENCE NO.: 10/520,909	OUR REFERENCE (C/M) NO.: 011382.00001

RE: In re: Appln. Of Bron
Appln. No. 10/520,909
For: Delivery System For Pharmaceuticals Agents

OFFICIAL FAX

If you do not receive all page(s) or have any problems receiving this transmission, please call:

NAME: Susan Kim	PHONE: 312-463-5525
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COMMENTS:

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Important/Confidential: This message is intended only for the use of the individual or entity to whom it is addressed. This message contains information from the law firm of Banner & Witcoff, Ltd. which may be privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, retention, archiving, or copying of the communication is strictly prohibited. If you have received this communication in error, please notify us immediately at our telephone number listed above. We will be happy to arrange for the return of this message to our offices at no cost to you.

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PTO/SB/21 (10-04)

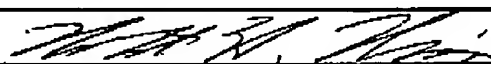
Approved for use through 07/31/2008, OMB 085-0031

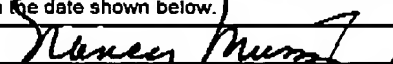
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/520,909	
	Filing Date	January 10, 2005	
	First Named Inventor	Denis Bron	
	Art Unit	1815	
	Examiner Name	TBD	
Total Number of Pages in This Submission	8	Attorney Docket Number	011382.00001

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): Executed Declaration Copy of Notice of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EOL S) Facsimile Coversheet
Remarks Commissioner of Patents is hereby authorized to charge and additional fees or credit and overpayments to deposit account 18-0733.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Banner & Witcoff, LTD.		
Signature			
Printed Name	Robert H. Resis		
Date	November 1, 2005	Reg. No.	32,168

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Nancy Muniz	Date	11-1-05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comment on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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003/010

P10/SB/17 (12-04v2)

Approved for use through 07/31/2005, OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004,
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL for FY 2005

Complete if Known

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 65.00

Application Number 10/520,909
Filing Date Janaury 10, 2005
First Named Inventor Denis Bron
Examiner Name TBD
Art Unit 1615
Attorney Docket No. 011382.00001

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) :

☒ Deposit Account Deposit Account Number: 19-0733 Deposit Account Name: Banner & Witcoff, LTD.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) ☒ Credit any overpayments

Under 37 CFR 1.16 and 1.17
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	
Utility	150	300	250	500	100	200	
Design	100	200	50	100	65	130	
Plant	100	200	150	300	80	160	
Reissue	150	300	250	500	300	600	
Provisional	100	200	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Small Entity	Fee (\$)
Each claim over 20 (including Reissues)	25	50
Each independent claim over 3 (including Reissues)	100	200
Multiple dependent claims	180	360
Total Claims	Extra Claims	Fee (\$)
- 20 or HP=	x	=
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Extra Claims	Fee (\$)
- 3 or HP=	x	=
HP = highest number of independent claims paid for, if greater than 3.		
Multiple Dependent Claims		
Fee (\$)	Fee Paid (\$)	

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)

- 100 = / 50 = (round up to a whole number) x

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Oath and Declaration Surcharge

65.00

SUBMITTED BY

Signature: [Signature] Registration No. 32,168 Telephone: [Blank]
Name (Print/Type) Robert H. Resis Date November 1, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22312-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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BANNER & WITCOFF

004/010

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 011382.00001)**

In the Application of:)	
)	
Denis Bron)	
)	Group Art Unit: 1615
Serial No.: 10/520,909)	
)	Examiner: TBD
Filed: January 10, 2005)	
)	Confirmation No.: 4805
For: Delivery System For Pharmaceutical Agents)	

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USC 371
IN THE UNITED STATES DESIGNATED ELECTED OFFICE (DO/EO/US)**

Mail Stop PCT OPERATIONS
DO/EO/US
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed September 1, 2005, enclosed is the Sole Oath or Declaration of the Inventor. A copy of the notice is also enclosed.

The Commissioner is authorized to debit the \$65 surcharge fee from our Deposit Account No. 19-0733. The examiner is also authorized to charge any additional fees or credit any over payments to deposit account 19-0733.

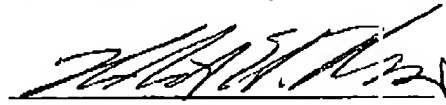
11/22/2005 SAHME1 00000002 190733 10520909

01 FC:2617 65.00 DA

Respectfully submitted,
BANNER & WITCOFF, LTD.

Dated: November 1, 2005

By:



Robert H. Resis
Reg. No. 32,168

BANNER & WITCOFF, LTD.
TEN SOUTH WACKER DRIVE
CHICAGO, ILLINOIS 60606
TELEPHONE (312) 715-1000



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22303-1450
 www.uspto.gov

Jon/RHR

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/520,909	Denis Bron	011382.0001
INTERNATIONAL APPLICATION NO.		
PCT/C/H03/00453		
IA. FILING DATE	PRIORITY DATE	
07/08/2003	07/10/2002	

22908
 BANNER & WITCOFF, LTD.
 TEN SOUTH WACKER DRIVE
 SUITE 3000
 CHICAGO, IL 60606

CONFIRMATION NO. 4805
 371 FORMALITIES LETTER
 OC000000016909762
 OC0000000111909762

Date Mailed: 09/01/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/10/2005
- Copy of the International Search Report filed on 01/10/2005
- Preliminary Amendments filed on 01/10/2005
- Information Disclosure Statements filed on 01/10/2005
- Oath or Declaration filed on 01/10/2005
- Request for Immediate Examination filed on 01/10/2005
- U.S. Basic National Fees filed on 01/10/2005
- Priority Documents filed on 01/10/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and International filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

113.32.0001
DOCKETED
 Rec'd. Not. of Missing Req.
 SEP 07 2015
 Resp. Due: 11/1/05
 1st Due: 4/1/06

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/520,909	PCT/CH03/00453	011382.0001

FORM PCT/DO/EO/905 (371 Formalities Notice)